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Title 310 – Oklahoma State Department of Health
Chapter 641 – Emergency Medical Services

Subchapter 3 – Ground Ambulance Service
Part 1 – General Provision

310:641-1-1. Purpose

The purpose of this Chapter is to implement the "Oklahoma Emergency Response Systems Development Act" as established at Title 63 O.S. Section 1-2501 et seq., as amended (the Act), and:

- (1) to describe and give a cross-reference to the several other subchapters of emergency medical service rules, and
- (2) to provide definitions and implement emergency medical service law.

[Source: Added at 8 Ok Reg 3143, eff 7-18-91 (emergency); Added at 9 Ok Reg 1495, eff 5-1-92; Amended at 33 Ok Reg 1529, eff 9-11-16]

310:641-1-2. Emergency medical service rules [REVOKED]

[Source: Added at 8 Ok Reg 3143, eff 7-18-91 (emergency); Added at 9 Ok Reg 1495, eff 5-1-92; Revoked at 33 Ok Reg 1529, eff 9-11-16]

310:641-1-3. Impersonation, assault, battery, penalties

(a) *Every person who willfully delays, obstructs or in any way interferes with an emergency medical technician or other emergency medical care provider in the performance of or attempt to perform emergency medical care and treatment or in going to or returning from the scene of a medical emergency, upon conviction, is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such fine and imprisonment [Section 650.3 of Title 21, Oklahoma Statutes].*

(b) *Every person who, without justifiable or excusable cause and with intent to do bodily harm, commits any assault, battery or assault and battery upon the person of an emergency medical care provider who is performing medical care duties, upon conviction, is guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding two (2) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment [Section 650.4 of Title 21, Oklahoma Statutes].*

(c) *It is unlawful for any person to knowingly discharge, or cause to be discharged, any electrical stun gun, tear gas weapon, mace, tear gas, pepper mace or any similar deleterious agent against another person knowing the other person to be a peace officer, corrections officer, probation or parole officer, firefighter, or an emergency medical technician or paramedic who is acting in the course of official duty. Any person violating the provisions of this section, upon conviction, shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not exceeding ten (10) years, or by imprisonment in the county jail for a term of not exceeding one (1) year [Section 1272.3 of Title 21, Oklahoma Statutes].*

(d) *Except as provided in subsection B of this section, every person who falsely personates any public officer, civil or military, any firefighter, any law enforcement officer, any emergency medical technician or other emergency medical care provider, or any private individual having special authority by law to perform any act affecting the rights or interests of another, or who assumes, without authority, any uniform or badge by which such officers or persons are usually distinguished, and in such assumed character does any act whereby another person is injured, defrauded, harassed, vexed or annoyed, upon conviction, is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment [Section 1533 of Title 21, Oklahoma Statutes].*

[Source: Added at 8 Ok Reg 3143, eff 7-18-91 (emergency); Added at 9 Ok Reg 1495, eff 5-1-92; Amended at 33 Ok Reg 1529, eff 9-11-16]

310:641-1-4. Purpose, authority and indoor tobacco smoke

(a) The purpose of this section is to establish a prevention program for several non-communicable diseases, which will improve the health of Oklahomans by eliminating exposure to secondhand tobacco smoke and its deadly effects. This section abates the public health nuisance of secondhand smoke under the authority of the Commissioner of Health as specified under Section 1-106(b)(1) of Title 63 of the Oklahoma Statutes. This section also further specifies how compliance with the Smoking in Public Places Act will be accomplished. [63 O.S. §§ 1-1521 et seq.]

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(b) The Commissioner of Health has conducted a study and is recommending these measures to the Board of Health under his authority as stated in section 1-106 of the Public Health Code. [63 O.S. § 1-106] The Board has the authority to establish prevention programs for non-communicable disease and to promulgate rules for the control of causative or toxic substances, which can cause disease under section 1-502b of the Public Health Code. [63 O.S. § 1-502b] The Board is adopting this rule under its authority in sections 1-104 and 1-1526 of Title 63 of the Oklahoma Statutes. [63 O.S. §§ 1-104 & 1-1526]

(c) Smoking or possessing a lighted tobacco product is prohibited in an ambulance or stretcher aid van.

[Source: Added at 19 Ok Reg 2087, eff 7-1-02]

310:641-1-7. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**ACLS**" means Advanced Cardiac Life Support.

"**Act**" means the "Oklahoma Emergency Response Systems Development Act".

"**Advanced Emergency Medical Technician**" means an AEMT as licensed pursuant to the Act or this chapter.

"**Advanced Life Support (ALS) Emergency Medical Services Training Program**" means an organization approved by the Department to conduct the following ALS training: Emergency Medical Responder, Emergency Medical Responder Refresher, Emergency Medical Technician, Emergency Medical Technician Refresher, Advanced Emergency Medical Technician, Advanced Emergency Medical Technician Refresher, Intermediate Refresher, Paramedic, Paramedic Refresher, Continuing Education at the Intermediate and Paramedic Levels, and such other courses of instruction that may be designated by the Department.

"**Agency**" means a Ground Ambulance Service, Specialty Care Ambulance Service, Stretcher Aid Van Service, Air Ambulance Service, or Emergency Medical Response Agency.

"**AHA**" means the American Heart Association.

"**Ambulance**" means any ground, air or water vehicle which is or should be approved by the Commissioner of Health, designed and equipped to transport a patient or patients and to provide appropriate on-scene and en route patient stabilization and care as required. Vehicles used as ambulances shall meet such standards as may be required by the State Board of health for approval, and shall display evidence of such approval at all times. [Title 63 O.S. Section 1-2501(1)].

"**AMLS**" means Advanced Medical Life Support.

"**ATLS**" means Advanced Trauma Life Support.

"**Base Station**" means the primary location from which ambulances and crews respond to emergency calls on a twenty-four (24) hour basis. The Base Station may include the principal business office, living quarters for personnel, training institution, and/or communications center.

"**Basic Life Support (BLS) Emergency Medical Services Training Program**" means an organization approved by the Department to conduct the following BLS training: Emergency Medical Responder, Emergency Medical Responder Refresher, Emergency Medical Technician Basic, Emergency Medical Technician Basic Refresher, Continuing Education at the Emergency Medical Technician Basic level, and such other courses of instruction that may be designated by the Department.

"**BLS**" means Basic Life Support, and includes cardiopulmonary resuscitation (CPR) and utilization of Semi-Automated Advisory Defibrillator (SAAD).

"**BTLS**" means Basic Trauma Life Support.

"**Board**" means the State Board of Health.

"**Call Log**" means a summary of all requests for service that an agency receives, regardless of disposition.

"**Call Received**" means that a call has been received by an agency when enough information has been received to begin responding to a request for service.

"**Certificate**" means any certification or certificate issued by the Department, pursuant to the Act or this Chapter.

"**Clinical Coordinator**" means the individual designated in writing by a training program as responsible for coordination and supervision of clinical experiences.

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"Clinical Experience" means all supervised learning experiences required and included as part of a training course in which the student provides or observes direct patient care. This includes vehicular experiences with a licensed ambulance service.

"Council" means the Oklahoma Trauma and Emergency Response Advisory Council.

"Critical Care Paramedic" means an Oklahoma licensed Paramedic that has received additional training to provide specialized care to patients during interfacility transfers and has provided his or her registration information to the Department.

"Department" means the State Department of Health.

"Distance Learning" is instruction of didactic portions of curriculum which requires participation of the instructor and students but does not require the students to be physically present in the same location as the instructor.

"Distributive Education" means educational activity, in which the learner, the instructor, and the educational materials are not all present in the same place at the same time, e.g., continuing education activities that are offered on the Internet, via CD ROM or video, or through journal articles or audio tapes.

"Documents, Records, or Copies" means an electronic or paper copy maintained at the agency, on units, or provided to receiving facilities.

"DOT" means the United States Department of Transportation.

"Division" means the Emergency Medical Services Division.

"Emergency Medical Personnel" means all certified and licensed personnel which provide emergency medical care for an ambulance service.

"Emergency Medical Responder" means a person who has successfully completed a state-approved course using the national standard Emergency Medical Responder curriculum and passed a competency- based examination from a state approved testing agency such as the National Registry of EMTs.

"Emergency Medical Response Agency" or "EMRA" means a person, company, or governmental entity that will utilize certified or licensed emergency medical personnel to provide emergency care but does not transport or transfer patients to a facility. The Department will provide two types of certification.

(A) Pre-hospital EMRAs will operate as part of an Emergency Medical System, responding to requests for service within a response area, supporting and being supported by a licensed ambulance service.

(B) Event Stand-by EMRAs will operate or contract for on-site medical care at locations that are open to the public or that will respond to the public. These types of EMRAs are certified to standby at a location or site and provide medical care to the public.

"EMS" means Emergency Medical Services.

"Emergency Medical System" means a network of hospitals, different ambulance services, and other healthcare providers that exist in the state.

"Emergency Medical Technician (EMT)" means an individual licensed by the Department as an Emergency Medical Technician, formerly known as an EMT-B or Basic.

"Emergency Medical Dispatcher (EMD)" means a person trained using a Department-approved curriculum for the management of calls for emergency medical care.

"Emergency transfer" means the movement of an acutely ill or injured patient from the scene to a health care facility (pre-hospital), or the movement of an acutely ill or injured patient from one health care facility to another health care facility (interfacility).

"Emergency Vehicle Operators Course" means a course that is meant to improve existing driving skills and familiarize an emergency vehicle operator or driver with the unique characteristics of driving emergency vehicles.

"En route Time" means the elapsed time from the time the emergency call is received by the EMS agency until the ambulance and complete crew is en route to the scene of the emergency.

"FDA Class One Device" means a device that is not life-supporting or life-sustaining and does not present a reasonable source of injury through normal usage. In the regulatory context, this applies to the stretcher/gurney and its locking system within the unit or vehicle.

"Ground ambulance service" means an ambulance service licensed at the basic, intermediate, advanced or paramedic life support level as provided in Subchapter 3. It does not mean a specialty care service licensed pursuant to Subchapter 11 or a stretcher aid van service licensed pursuant to Subchapter 17.

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"Initial Certification or Initial Licensure" means the first certification or license that an applicant receives after an initial course, or the license or certification an applicant receives after the previous license or certification expired.

"Intermediate" means an Emergency Medical Technician-Intermediate as licensed pursuant to the Act or this chapter.

"Instructor" means a Department approved instructor that provides instruction for initial courses, but may also teach refresher and continuing education courses.

"Lapse in Medical Direction" means the Medical Director for an agency has not been accessible to the agency for a period of time as detailed with the agency's policies and agreement.

"License" means any license issued by the Department, pursuant to the Act or this Chapter.

"Licensed Service Area" means the contiguous geographical area identified in an initial ambulance service application or in an amendment to an existing license. The geographic area is identified by the application and supported with documents provided by the local governmental jurisdictions. For ground ambulance services, this is the geographic area the ambulance service has a duty to act within.

"Medical Control Physician or Medical Director" means the licensed physician (M.D. or D.O.) that authorizes certified or licensed emergency medical personnel to perform procedures and interventions detailed in the agency's approved protocols.

"NHTSA" means National Highway Traffic Safety Administration.

"National Registry" means the National Registry of Emergency Medical Technicians (NREMT), Columbus, Ohio.

"Non-emergency transfer" means the movement of any patient in an ambulance other than an emergency transfer.

"PALS" means Pediatric Advanced Life Support.

"Patient" means the person who requests assistance or the person for whom assistance is being requested from an agency.

"Paramedic" means an individual licensed by the Department as a Paramedic, formerly known as an EMT-P.

"PEPP" means Pediatric Education for the Prehospital Professional.

"PHTLS" means Prehospital Trauma Life Support.

"PIC" means Pilot in Command.

"PPC" means Prehospital Pediatric Care.

"Post" means a location where an ambulance may be positioned for an unspecified period of time while awaiting dispatch.

"Preceptor" means an individual with education, experience, and expertise in healthcare and approved by a training program to supervise and provide instruction to EMS students during clinical experiences.

"Program Administrator" means the individual designated in writing by a training program as responsible for all aspects of EMS training.

"Program Coordinator" means the individual designated in writing by a training program as responsible for all aspects of a specified course(s) or EMS program. This individual shall have at least two (2) years experience of full-time equivalent employment as a healthcare practitioner.

"Response time" means the time from which a call is received by the EMS agency until the time the ambulance and complete crew arrives at the scene, unless the call is scheduled in advance.

"State Interoperability Governing Body" or **"SIGB"** means the formal group of public safety officials from across the State working with the Oklahoma Office of Homeland Security to improve communication interoperability.

"Semi-Automated Advisory Defibrillator" or **"SAAD"** means a defibrillator that is part of the Basic Life Support curriculum and is also known as Automated External Defibrillator (AED) and Semi-Automated External Defibrillator (SAED).

"Specialty Care Transports" or **(SCT)** means interfacility transfers of critically ill or injured patients by an agency with the provision of medically necessary supplies and equipment, above the level of care of the Paramedic. SCT is necessary when a patient's condition requires ongoing care that must be provided by one or more healthcare providers in an appropriate specialty area. Examples include emergency or critical care nursing, emergency medicine, respiratory care, cardiovascular care, or a Paramedic with additional training in IV infusions

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including vasopressors, vasoactive compounds, antiarrhythmics, fibrinolytics, tocolytics, and/or any other parenteral pharmaceutical unique to the patient's special health care needs or special monitors or procedures such as mechanical ventilation, multiple monitors, cardiac balloon pump, external cardiac support (ventricular assist devices, etc.), or any other specialized device or procedure outside the Paramedic scope of practice certified by the referring physician as unique to the patient's health care needs.

"Statewide Ambulance coverage area" means a map of all ambulance response areas, maintained by the Department.

"State Designated Resource Status Reporting and Communication Tool" means the electronic system utilized to communicate in near real time status of the emergency medical system.

"Stretcher aid van" means any ground vehicle *which is or should be approved by the State Commissioner of Health, which is designed and equipped to transport individuals on a stretcher or gurney type apparatus* [Title 63 O.S. Section 1-2503 (18) and (25)].

"Stretcher aid van patient" means any person who is or will be transported in a reclining position on a stretcher or gurney, who is medically stable, nonemergent and does not require any medical monitoring equipment or assistance during transport [Title 63 O.S. Section 1-2503 (26)].

"Substation" means a permanent structure where an ambulance(s) is/are stationed and available for calls on a twenty-four (24) hour basis.

"Tax Hold" means an individual with an Oklahoma certification or license who is not in compliance with Title 68 O.S. Section 238.1 and the Oklahoma Administrative Code 710:95-9 as it pertains to professional licensing compliance.

"Title 47" means the Oklahoma Motor Vehicle statutes.

"Training" means that education which is received through training programs as authorized by emergency medical services rule for training programs (Subchapter 7 of this Chapter).

"Training Manager" means an instructor or manager that provides or oversees the training that occurs at an agency, such as continuing education or refresher courses.

"Transfer" means the movement of a patient in an ambulance.

"Trauma transfer and referral center" means an organization certified by the Department and staffed and equipped for the purpose of directing trauma patient transfers within a region that consists of a county with a population of three hundred thousand (300,000) or more and its contiguous communities, and facilitating the transfer of trauma patients into and out of the region for definitive trauma care at medical facilities that have the capacity and capability to appropriately care for the emergent medical needs of the patient.

[Source: Amended and renumbered from 310:641-3-2 at 33 Ok Reg 1529, eff 9-11-16]

310:641-1-10. Severance

If any part or section of this Chapter is found to be invalid and/or declared un-enforceable, then the remaining parts or sections shall remain in effect.

[Source: Added at 8 Ok Reg 3143, eff 7-18-91 (emergency); Added at 9 Ok Reg 1495, eff 5-1-92; Amended at 17 Ok Reg 392, eff 11-1-99 (emergency); Amended at 17 Ok Reg 2948, eff 7-13-00]

310:641-1-11. Repealer [REVOKED]

[Source: Added at 8 Ok Reg 3143, eff 7-18-91 (emergency); Added at 9 Ok Reg 1495, eff 5-1-92; Revoked at 33 Ok Reg 1529, eff 9-11-16]

310:641-1-12. Effective date [REVOKED]

[Source: Added at 8 Ok Reg 3143, eff 7-18-91 (emergency); Added at 9 Ok Reg 1495, eff 5-1-92; Revoked at 33 Ok Reg 1529, eff 9-11-16]

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Subchapter 17 - Stretcher Aid Van Service

310:641-17-1. Purpose

- (a) This Subchapter incorporates the authorization, licensure, and minimum requirements for operating a Stretcher Aid Van Ambulance Service that transports patients that are medically stable, but need to be transported in a reclining position, and
- (b) provide standards for the enforcement of the provisions of the Act and this Chapter.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-2. Stretcher aid van service license required

- (a) No person, company, governmental entity or trust authority shall operate, advertise, or hold themselves out as providing any type of stretcher aid van service without first obtaining a license to operate a stretcher aid van service from the Department. The Department shall have sole discretion to approve or deny an application for a stretcher aid van service license based on the ability of the applicant to meet the requirements of this rule.
- (b) State and Federal agencies that respond to stretcher aid van transports off State and Federal property are required to become licensed by the Department.
- (c) Persons, companies, and governmental entities which operate on their own premises are exempt from this licensing requirement, unless the stretcher aid van patient(s)is/are transported on the public streets or highways of Oklahoma or outside of their own premises.
- (d) An application to operate a stretcher aid van service shall be submitted on forms prescribed and provided by the Department.
- (e) The application shall be signed under oath by the party or parties seeking to secure the license.
- (f) The party or parties who sign the application shall be considered the owner or agent (licensee) and responsible for compliance to the Act and this Chapter.
- (g) The application shall contain, but not be limited to the following:
 - (1) a statement of ownership which shall include the name, address, telephone number, occupation and/or other business activities of all owners or agents who shall be responsible for the service.
 - (A) If the owner is a partnership or corporation, a copy of incorporation documents and the name of all partner(s) or stockholder(s) with an ownership interest of five (5%) percent or more (principal), and the name and addresses of any other ambulance service in which any partner or stockholder holds an interest shall also be included.
 - (B) If the owner is an entity of government, governmental trust, trust authority, or non-profit corporation, the name of each board member, or the chief administrative officer and/or chief operation officer shall be included.
 - (2) proof of vehicle insurance, at least in the amount of one million dollars (\$1,000,000.00) or to the amount provided for in "The Governmental Tort Claims Act", Title 51 O.S. Section 151 et seq. This insurance requirement shall remain in effect at all times while the service is licensed;
 - (3) proof of professional liability insurance, at least in the amount of one million dollars (\$1,000,000) or to the amount provided for in "The Governmental Tort Claims Act", Title 51 O.S. Sections 151 et seq. This insurance requirement shall remain in effect at all times while the service is licensed;
 - (4) participation in a workers' compensation insurance program for employees who are subject to pertinent labor laws. This insurance requirement shall remain in effect at all times while the service is licensed;
 - (5) copy of any contract(s) for vehicles, medical equipment, and/or personnel if such exist;
 - (6) a written communication policy addressing:
 - (A) the receiving and dispatching of calls;
 - (B) ensuring compliance with State and local EMS Communication Plans; and
 - (C) applicants for this license will provide documentation that a screening process is in place to ensure a request for the transport of a stretcher aid van patient will meet the agency's capability, capacity, and licensure requirements. Documentation of the screening will be retained as part of the patient care report or call log.
 - (7) Provide a response plan that includes:

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- (A) providing and receiving mutual aid with all surrounding, contiguous, or overlapping service areas; and
 - (B) providing for and receiving disaster assistance in accordance with local and regional plans and command structures.
- (8) confidentiality policy ensuring confidentiality of all documents and communications regarding protected patient health information;
- (9) an application for an initial or new license shall be accompanied by a non-refundable fee of six hundred (\$600.00) dollars plus twenty (\$20.00) dollars for each vehicle in excess of two (2) vehicles utilized for patient transport. An additional fee of one hundred fifty (\$150.00) dollars shall be included for each stretcher aid van substation in addition to the base station.
- (h) Stretcher aid van license applicants will provide documentation that reflects compliance with existing sole-source ordinances.
- (i) Stretcher aid van services are exempt from a duty to act requirements and continuous staffing coverage.
- (j) A business plan which includes a financial disclosure statement showing evidence of the ability to sustain the operation for at least one (1) year.

[Source: Amended and renumbered at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-3. Issuance of a stretcher aid van service license

- (a) The Department shall have sole discretion to approve or deny an application for a stretcher aid van service license based on the ability of the applicant to meet the requirements of this Chapter.
- (b) A license may be issued for a stretcher aid van service.
- (c) The license shall be issued only for the name, service area, and service provided. The license is not transferable or assignable.
- (d) The initial license period shall expire the second June 30th; following the date of issue. Subsequent renewal periods shall be twenty-four (24) months, or two (2) years.
- (e) The original, or a copy of the original, license shall be posted in a conspicuous place in the principal business office. If an office or other public place is not available, then the license shall be available to anyone requesting to see the license; during regular business hours.
- (f) The stretcher aid van service is limited to the transportation of stable patients that can only be transported in a reclining position. As such, the medical interventions the staff members can provide are that of first aid, BLS CPR, and AED interventions. Agency supplied medications are prohibited for this license type.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-4. Renewal of a stretcher aid van license

- (a) The Department shall provide to all licensed stretcher aid van services a "Survey/Renewal Form" in December each year. This form shall be considered and utilized as a renewal application if due. The "Survey/Renewal Form" along with proof of the required types of insurance shall be returned to the Department by January 31st each year.
 - (1) Upon receipt of a complete and correct renewal application, a renewal fee statement shall be mailed by the Department to each licensee in need of renewal.
 - (2) A non-refundable fee for the renewal of a stretcher aid van service license shall be one hundred dollars (\$100.00), fifty dollars (\$50.00) for each substation, plus twenty dollars (\$20.00) for each vehicle in excess of two (2).
 - (3) A stretcher aid van service license shall be renewed if:
 - (A) the service has applied for such renewal;
 - (B) the service has no outstanding deficiencies or is in need of correction as may be identified during inspection of the service, and;
 - (C) the proper fee has been received by the Department.
- (b) A stretcher aid van service license; if not renewed by midnight June 30 of the expiration year, shall be considered non-renewed.
 - (1) A grace period of thirty (30) days is permitted under 63 O.S. Section 1-1702.

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- (2) Thereafter a new application shall be required for the continuation of any such license, and the applicant shall be subject to initial application procedures. An extension may be granted by the Department for the purpose of renewal, subject to a determination by the Department of the following:
- (A) the safety, need, and well-being of the public and general populace to be served by the stretcher aid van service;
 - (B) the availability of personnel, equipment, and the financial ability of the applicant to meet the minimum standards of emergency medical services law;
 - (C) the number of estimated runs to be made by the stretcher aid van service;
 - (D) the desire of the community(ies) to be served.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-5. Denial for an initial stretcher aid van license

- (a) A stretcher aid van license application may be denied for any of the following reasons:
- (1) a felony conviction, adjudication, or plea of guilty or nolo contendere of any person, member of the firm, partnership, corporation or the person designated to supervise the service; to include, but not be limited to, fraud, grand larceny, child abuse, sexual offense(s), drug offense(s), or a conviction, adjudication, or plea of guilty or nolo contendere which might otherwise have a bearing on the operation of the service;
 - (2) falsification of Department required information;
 - (3) ownership, management, or administration by principals of an entity whose license has been revoked; and
 - (4) licensure or re-licensure may not be in the best interest of the public as determined by the Department.
- (b) An applicant shall be notified in writing within sixty (60) days from the date the Department receives a complete application of the granting or denial of a license. In the event of a denial, the specific reason(s) shall be noted and indications of the corrective action necessary to obtain a license or renewal shall be given, if applicable. A license application may be re-submitted, but each resubmission shall be considered an initial application.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-6. Denial of a license being renewed

- (a) A license application for renewal may be denied for any of the following:
- (1) the failure to meet standards set forth by statute or rule;
 - (2) a felony conviction, adjudication, or plea of guilty or nolo contendere of any person, member of the firm, partnership, corporation, or the person designated to manage the service to include, but not limited to fraud, grand larceny, child abuse, sexual offense(s), or a conviction, adjudication, or plea of guilty or nolo contendere which might otherwise have a bearing on the operation of a service;
 - (3) outstanding notice of violation that has not been addressed with an acceptable plan of correction;
 - (4) insufficient financial resources;
 - (5) falsification of Department required information;
 - (6) ownership, management, or administration by principles of an entity whose certification has been revoked;
 - (7) re-certification may not be in the best interest of the public as determined by the Department;
 - (8) revocation or denial of a governmental letter of support as required for initial certification;
- (b) An applicant shall be notified in writing within sixty (60) days, from the date the Department receives a complete renewal application, of the granting or denial of a renewed license. In the event of a denial, the specific reason(s) shall be noted, and an indication of the corrective action necessary to obtain a renewed license shall be given if applicable. A license application may be resubmitted, but each re-submission shall be considered an initial application.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

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310:641-17-7. Severance of action, amendment, and re-instatement

- (a) The issuance or renewal of a license after notice of a violation(s) has been given shall not constitute a waiver by the Department of its power to rely on the violation(s) for subsequent license revocation or other enforcement action which may arise out of the notice of violation(s).
- (b) Any change in the name of the service, level, service area, or the addition of substation, shall necessitate an application to amend the license and shall be accompanied by a fee of one hundred dollars (\$100.00).
- (c) Changing or moving the location of a substation requires written notification to the Department.
- (d) If an existing license is placed on probation or suspension, a fee of one hundred (\$100.00) dollars, in addition to any other provision of the action, shall be submitted prior to re-instatement of the license to full privilege.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-8. Stretcher aid van staffing

- (a) Each stretcher aid van service shall be staffed by a minimum of two (2) persons.
- (b) The patient shall be accompanied by a minimum of:
 - (1) an attendant that has a current Oklahoma Emergency Medical Responder certification and maintains current BLS certification and
 - (2) the driver shall hold a valid Oklahoma driver's license, possess a current BLS certification, and have completed an agency defensive driving course that includes driving a vehicle similar to a stretcher aid van.
- (c) Under no circumstance during the transport of a stretcher aid van patient shall the attendant be less than an Oklahoma certified Emergency Medical Responder.
- (d) Each stretcher aid van service shall provide to each attendant and driver an orientation designed to familiarize these individuals with the local and regional emergency medical system and other Oklahoma public safety resources.
- (e) Agencies will maintain training records demonstrating competency in emergency procedures, patient handling, and vehicle operations for all personnel utilized by the agency prior to patient contact or vehicle operations.

[Source: Amended and renumbered from 310:641-3-48.4 at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-9. Stretcher aid van vehicles

- (a) A stretcher aid van vehicle may not be permitted by the Department prior to the submission and approval of all required documentation, fees, and a Department inspection.
- (b) Authorized stretcher aid van vehicles of licensed services shall be in good mechanical and serviceable condition at all times, so as to not be hazardous to the patient(s) or crewmembers. If, in the determination of the Department, a vehicle does not meet this requirement, it may be removed from service until repairs are made.
- (c) Authorized stretcher aid van vehicles of licensed services shall be tested for interior carbon monoxide, in a manner acceptable to the Department. Carbon monoxide levels of more than ten parts per million (10ppm) shall be considered in excess and shall render the vehicle "out of compliance". Vehicles shall be removed from service if carbon monoxide levels exceed fifty parts per million (50ppm) and until repairs are made to reduce the amounts of carbon monoxide below ten parts per million (10ppm).
- (d) A class "S" permit shall be affixed to a vehicle in compliance and utilized as a stretcher aid van vehicle.
- (e) Stretcher aid van vehicles shall place a permit or inspection decal affixed by the Department. These decals shall be placed in the driver side rear window unless it is impossible or impractical to place in this area.
- (f) Stretcher aid van vehicles are not ambulances, and may not be authorized as emergency vehicles within Title 47, relating to definitions of emergency vehicles.
- (g) Violations that may justify immediate removal of a vehicle permit include:
 - (1) inadequate sanitation, including the presence of contamination by blood and or bodily fluids,
 - (2) inoperable heater or air conditioner as detailed within the vehicle manufacturing standards and specifications,
 - (3) inoperable AED,
 - (4) tires that do not meet Oklahoma Statutes Title 47, Chapter 12 requirements,
 - (5) carbon monoxide levels greater than fifty (50) parts per million
 - (6) lapse of vehicle liability insurance,
 - (7) lapse of worker compensation insurance,

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- (8) inability to affix a class S" permit to the vehicle,
 - (9) vehicle that does not comply with statutory safety equipment found in Title 47.
 - (10) If such violation is not or cannot be corrected immediately, any affected vehicle shall be removed from service and the ambulance permit shall be removed until such time the vehicle is compliant and has been re-inspected and permitted by the Department.
- (h) The stretcher aid van vehicle must utilize a stretcher or gurney and locking system that meets or manufactures standards
- (i) The stretcher aid van vehicle shall have:
- (1) a mounted seat with seatbelts for the patient care attendant,
 - (2) mounted cabinets for the purpose of storing supplies and equipment,
 - (3) mounted and rear loading lights,
 - (4) the capability to contact 911 should an emergency arise while transporting a passenger, and
 - (5) display exterior markings identifying the vehicle as a stretcher aid van and the business name in six (6) inch letters in a contrasting color on the rear and sides of the vehicle.
- (j) All stretcher aid van vehicles purchased after the effective date of this Chapter's amendments shall comply with OAC 310:641-3-20 except for
- (1) oxygen systems,
 - (2) emergency lights, and
 - (3) sirens.
- (k) Stretcher aid van vehicles shall comply with the guidelines for displaying the Star of Life as set out in Star of Life Emergency Medical Care Symbol, Background, Specifications, and Criteria, U.S. Department of Transportation, National Highway Traffic Safety Administration, DOT HS 808 721, revised June 1995.

[Source: Amended and renumbered from 310:641-3-48.2 at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-10. Equipment for stretcher aid van vehicles

Each stretcher aid van vehicle shall carry, at a minimum the following:

- (1) one (1) each pediatric and adult size bag-valve mask resuscitators,
- (2) one suction unit (portable or vehicle mounted) which is capable of delivering adequate suction to clear the airway, with wide-bore tubing (one quarter inch) (1/4"), and rigid and soft catheters for the types of patients the agency transports.
- (3) one (1) emesis basin,
- (4) one (1) pair of scissors or shears,
- (5) body substance isolation kits with gowns, gloves, eye protection, and masks,
- (6) latex or equivalent gloves separate from body substance isolation kits,
- (7) pediatric and adult oropharyngeal airways,
- (8) extra blankets, sheets, pillow cases.
- (9) two (2) five (5) pound fire extinguishers, secured, with one (1) accessible to the driver and one (1) accessible to the patient care attendant,
- (10) one (1) elevating gurney with locking equipment,
- (11) an AED with adult and pediatric capabilities.
- (12) if the agency transports children, then the agency is required to provide a child restraint system.

[Source: Amended and renumbered from 310:641-3-48.3 at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-11. Stretcher aid van medical control

As the scope of practice by the patient care attendant employed at a stretcher aid van service is limited to first aid, BLS CPR, and the use of an AED, a medical director or Department approved protocols are not required.

[Source: Amended and renumbered from 310:641-3-48.5 at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-12. Sanitation requirements

- (a) The following shall apply regarding sanitation standards for all stretcher aid van services facilities, vehicles, and personnel:

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- (1) the interior of the vehicle and the equipment within the vehicle shall be sanitary and maintained in good working order at all times;
 - (2) the exterior of the vehicle shall be clean and maintained in good working order to ensure the vehicle can operate safely and in accordance with applicable sections of Title 47 of the Oklahoma Statutes;
 - (3) linen shall be changed after each patient is transported, and the used linen will be bagged and stored in an outside or separate compartment;
 - (4) clean linen, blankets, washcloths, and hand-towels shall be stored in a closed interior cabinet free of dirt and debris;
 - (5) freshly laundered linen or disposable linen shall be used on the cots and pillows and changed between patients;
 - (6) pillows and mattresses shall be kept clean and in good repair and any repairs made to pillows, mattresses, and padded seats shall be permanent;
 - (7) soiled linen shall be placed in a container that deters accidental exposure. Any linen which is suspected of being contaminated with bodily fluids or other potentially hazardous infectious waste shall be placed in an appropriately marked closed container for disposal;
 - (8) contaminated disposable supplies shall be placed in appropriately marked or designated containers in a manner that deters accidental exposure.
 - (9) exterior and interior surfaces of vehicles shall be cleaned routinely;
 - (10) blankets and hand towels used in any vehicle shall be clean;
 - (11) implements inserted into the patient's nose or mouth shall be single-service wrapped and properly stored and handled. When multi-use items are utilized, the local health care facilities should be consulted for instructions in sanitation and handling of such items;
 - (12) when a vehicle has been utilized to transport a patient(s) known to the operator to have a communicable disease, the vehicle shall be cleansed and all contact surfaces shall be washed with soap and water and appropriate disinfectant. The vehicle should be placed "out of service" until a thorough cleansing is conducted;
 - (13) all storage spaces used for storage of linens, equipment, medical supplies and other supplies at the base station shall be kept clean;
 - (14) personnel shall:
 - (A) be clean, especially hands and fingernails, and well groomed;
 - (B) clothing worn by personnel shall be clean;
 - (C) while on duty, employees shall wear an identifiable uniform or agency specific photo identification;
 - (D) The licensee shall provide in each vehicle a means of hand washing for the attendants;
 - (15) expired supplies and equipment shall be discarded appropriately. Tampering, removing, or altering expiration dates on medications, supplies, and equipment is prohibited; and
 - (16) the station facility, ambulance bays, living quarters, and office areas shall be clean, orderly, and free of safety and health hazards.
- (b) Stretcher aid van vehicles and service facilities shall be free of any evidence of use of lighted or smokeless tobacco products except in designated smoking areas consistent with the provisions of 310:641-1-4.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-13. Inspections

- (a) The Department shall conduct unannounced inspections of every licensed stretcher aid van service. Inspection may include a review of any requirements of the Act and rules promulgated thereunder. The Department may require copies of such records as deemed necessary consistent with the files section of this subchapter.
- (b) All inspection reports will be sent to the agency director and license owner,
- (c) A representative of the agency will be with the Department employee during the inspection.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

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310:641-17-14. Stretcher aid van notice of violation

- (a) A violation of the Act or this Chapter is ground for the Department to issue a written order, sent via certified mail, citing the violation, affording the agency an opportunity to demonstrate compliance, and indicating the time no less than fifteen (15) days after receipt of the notice in which any needed correction shall be made. The fifteen-day notice period may be reduced as, in the opinion of the Department, may be necessary to render an order of compliance reasonably effectual.
- (b) Unless the Department specifies a reduced period, within thirty (30) days after receipt of the notice of violation, the agency shall submit to the Department a written demonstration of compliance and/or plan of correction.
- (c) A plan of correction shall include at least the following:
 - (1) When the correction was or will be completed;
 - (2) How the correction was or will be made;
 - (3) What measures will prevent a recurrence; and
 - (4) Who will be accountable to ensure future compliance.
- (d) The Department shall ensure that the agency is afforded due process in accordance with the Procedures of the State Department of Health, Oklahoma Administrative Code, Title 310, Chapter 2, and the Administrative Procedures Act, Title 75 O.S. Section 250 et seq.
- (e) Violations found by the Department which require immediate correction shall be handled in compliance with Title 75 of the Oklahoma Statutes, Section 314.1 and the Oklahoma Administrative Code, Title 310, Chapter 2, specifically 310:2-21-23.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-15. Emergency medical services regions

- (a) Regions established pursuant to 63 O.S. Section 1-2503 (21) and (22) shall not be recognized without Department approval for this purpose. Pursuant to Title 74 O.S. Section 1006, of the "Interlocal Cooperation Act" (relating to Approval of Agreements), the Department shall exercise authority granted to approve or disapprove all matters within its jurisdiction, in addition to and in substitution for the requirement of submission to and approval by the Attorney General.
- (b) The Department shall recognize regions which comply with the law and this Chapter.
- (c) Any regional emergency medical services system shall provide the name of the regional medical director, copies of regional standards, rules, and transport protocols established for the regional emergency medical services system to the Department.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-16. Operational protocols

- (a) Stretcher aid van vehicles are to be used for stretcher aid van patients or passengers only.
 - (1) Emergency transfers are prohibited.
 - (2) Stretcher aid vans are prohibited from conducting patient transfers or providing transportation from the pre-hospital setting.
- (b) Stretcher aid van services are limited to providing non-emergency transportation to medically stable, non-emergent individuals who need to be transported in a reclining position on a stretcher but who do not require any type of monitoring or administration of medical care.
- (c) Passenger supplied medications for self-administration are permitted.
- (d) Patient care attendants are limited to first aid, BLS CPR, and AED interventions.
- (e) Stretcher aid vans shall define the days and hours of operation in which transportation is provided.
- (f) When a facility requests a stretcher aid van, the agency will provide an accurate estimated time of arrival and ensure the patient needs will be able to be met for the service being requested within the scope of the licensure capabilities and capacity.
- (g) Stretcher aid van transports may be made to and from any State or Federal Veteran Centers.
- (h) When a stretcher aid van passenger develops an emergency condition, the service shall:
 - (1) contact 911 or the local emergency number;
 - (2) proceed to the closest hospital or to a rendezvous point;

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- (3) provide appropriate first aid, BLS CPR, and AED interventions; and
- (4) submit an incident report to the Department within 48 hours of the incident;
- (i) Mutual aid plan(s), regarding interfacility transports only, with licensed services shall be developed and placed in the agency files for inspection. Plans will be periodically reviewed to ensure accuracy and completeness. Licensed stretcher aid vans agencies shall provide mutual aid if the agency has the capability and if the requested activity is within the licensure requirements.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-17. Transfer protocols

- (a) Patients transported by stretcher aid van services may originate from a location other than a medical setting provided the patient's condition is appropriately screened to ensure the patient condition is within the service's licensure capabilities.
- (b) Transports that occur between medical facilities will be screened to ensure that any care and treatment at the sending facility has been discontinued prior to discharge or transport.
- (c) Direct admits from a pre-hospital setting or admissions through the emergency room at a receiving facility are prohibited.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-18. Stretcher aid van service records and files

- (a) All required records for licensure will be maintained for a minimum of three years.
- (b) Each licensed stretcher aid van service shall maintain electronic or paper records about the operation, maintenance, and such other required documents at the business office. These files shall be available for review by the Department during normal work hours. Files which shall be maintained include the following:
 - (1) a record of each patient transport to include, but not be limited to:
 - (A) personal information such as name, date of birth and address;
 - (B) contact information;
 - (C) originating location;
 - (D) destination;
 - (E) reason for the transport;
 - (F) a call log that contains:
 - (i) time requested,
 - (ii) time arrived,
 - (iii) time departed,
 - (iv) time at destination,
 - (v) time transport was complete,
 - (vi) unit number, and
 - (vii) staff members on transport.
 - (2) Records shall be submitted to the Department as required.
- (c) All passenger and patient transport reports and information shall be considered as confidential.
- (d) All stretcher aid van agencies shall maintain electronic or paper records on the maintenance and regular inspections of each vehicle. Each vehicle must be inspected and a checklist completed after each call or on a daily basis, whichever is less frequent.
- (e) All stretcher aid van agencies shall maintain a licensure or credential file for licensed and certified emergency medical personnel employed by or associated with the service to include:
 - (1) Oklahoma license and certification,
 - (2) Basic Life Support certification that meets or exceeds American Heart Association standards,
 - (3) Incident Command System or National Incident Management Systems training at the 100, 200, and 700 levels or their equivalent,
 - (4) verification of an Emergency Vehicle Operations Course or other agency approved defensive driving course,

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- (f) The electronic or paper copies of the licenses and credentials described in this section shall be kept separate from other personnel records to ensure confidentiality of records that do not pertain to the documents relating to patient care.
- (g) Copies of staffing patterns, schedules, or staffing reports.
- (h) Copies of in-service training and continuing education records.
- (i) Copies of the stretcher aid van service's:
 - (1) operational policies, guidelines, or employee handbook;
 - (2) OSHA and/or Department of Labor exposure plan, policies, or guidelines.
- (j) A log of each request for service call received and/or initiated, to include the:
 - (1) disposition of the request and the reason for declining the request, if applicable,
 - (2) patient care report number,
 - (3) date of request,
 - (4) patient care report times,
 - (5) location of the incident,
 - (6) where the ambulance originated, and
 - (7) nature of the call.
- (k) Such other documents which may be determined necessary by the Department. Such documents can only be required after a thorough, reasonable, and appropriate notification by the Department to the services and agencies.
- (l) The standardized data set and an electronic submission standard for EMS data as developed by the Department shall be mandatory for each licensed service as defined in the Act. Reports of the data standard shall be forwarded to the Department by the last business day of the following month. Exceptions to the monthly reporting requirements shall be granted only by the Department, in writing.
- (m) Review and the disclosure of information contained in the stretcher aid van service files shall be confidential, except for information which pertains to the requirements for license, certification, or investigation issued by the Department.
- (n) Department representatives shall have prompt access to files, records, and property as necessary to appropriately survey the provider. Refusal to allow access by representatives of Department to records, equipment, or property may result in summary suspension of licensure by the Commissioner of Health.
- (o) All information submitted and/or maintained in files for review shall be accurate and consistent with Department requirements.
- (p) A representative of the agency will be present during the record review.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-19. Sole source ordinances

- (a) A stretcher aid van service which operates as a sole source provider established by EMS regions, ambulance service districts, or municipalities shall file with the Department a copy of the ordinance or regulation and a copy of the contract to operate as a sole source provider. This requirement shall be retroactive and includes all established sole source ordinances and resolutions.
- (b) A stretcher aid van service which operates as a sole source provider for a "region" as established pursuant to the Oklahoma Interlocal Cooperation Act (Title 74, Section 1001, et seq.), shall file with the Department, a copy of the interlocal agreement and any ordinance or other regulations or contract or agreement established by the region for ambulance service provision.
- (c) Violation of contracts established herein may be cause for enforcement action by the Department.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]

310:641-17-20. Suspension, revocation, probation, or non-renewal of a licensee

- (a) The Department may suspend or revoke a license and/or fine or place on probation a license or licensee for the following:
 - (1) violations of any of the provision of the Oklahoma Statutes, the Act, or this chapter;
 - (2) permitting, aiding, or abetting in any illegal act in connection with the ambulance service;
 - (3) conduct of any practice that is detrimental to the welfare of the patient or potential users of the service;

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- (4) responding to requests for service or completing transports that are not permitted by the type of license issued by the Department;
 - (5) placing a vehicle into service before it is properly inspected, approved, and permitted by the Department;
 - (6) failure to comply with a written order issued by the Department within the time frame specified by the Department;
 - (7) engaging in any act which is designed or intended to hinder, impede, or obstruct the investigation of any matter governed by the Act or by any lawful authority;
 - (8) a stretcher aid van service who fails to renew their Oklahoma license within the time frame and other requirements as specified in these rules shall be considered an expired or lapsed licensee and therefore no longer licensed as an ambulance service in the State of Oklahoma;
 - (9) a misleading, deceptive, false, or fraudulent advertisement or other representation in the conduct of the profession or occupation;
 - (10) offering, giving, promising anything of value or benefit, as defined in Oklahoma Statutes or Department Policy to a Federal, state, or local governmental official for the purpose of influencing the employee or official to circumvent a Federal, state, or local law, rule, or ordinance governing the licensee's profession or occupations;
 - (11) interference with an investigation disciplinary proceeding by willful misrepresentation of facts, by the use of threats or harassment against or inducement to a client or witness to prevent them from providing evidence in a disciplinary proceeding or other legal action, or by use of threats or harassment against or inducement to a person to prevent or attempt to prevent a disciplinary proceeding or other legal action from being filed, prosecuted, or completed;
 - (12) failure to report the unprofessional conduct or non-compliance of regulations by individually licensed and certified personnel as defined in this Chapter.
- (b) No person, company, governmental entity or trust authority may operate an ambulance service or emergency medical response agency except in accordance with the Act and the rules as promulgated by the State Board. The Commissioner, District Attorney of the county wherein a violation occurs, or the Attorney General of this State, shall have the authority to enforce provisions of the law.
- (c) A license/certificate/permit holder or applicant in connection with a license application or an investigation conducted by the Department pursuant to this rule shall not:
- (1) knowingly make a false statement of material fact;
 - (2) fail to disclose a fact necessary to correct a misapprehension known by the licensee to have arisen in the application or the matter under investigation; or
 - (3) fail to respond to a demand for information made by the Department or any designated representative thereof.
- (d) If in the course of an investigation, the Department determines that a license/certificate/permit holder or applicant has engaged in conduct that is detrimental to the health, safety, or welfare of the public, and which conduct necessitates immediate action to prevent further harm, the Commissioner may order a summary suspension of the license/certificate/permit holder's license, certificate, or permit respectively. A presumption of imminent harm to the public shall exist if the Department determines probable cause for conduct of any practice that is detrimental to the welfare of the patient or potential users of the service.
- (e) In addition to any other penalties, a civil fine of not more than one hundred (\$100.00) dollars per violation per day may be assessed, for violations of the Act or this Chapter.

[Source: Added at 33 Ok Reg 1529, eff 9-11-16]